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Report of the Secretary-General on the United Nations Mission in South Sudan

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1996 (2011), by which the Council established the United Nations Mission in South Sudan (UNMISS) for an initial period of one year and requested me to report to it on progress in the implementation of its mandate every four months. By its resolution 2057 (2012), the Council extended the Mission's mandate until 15 July 2013 and requested that I continue to provide trimesterly updates on the following: deployment of all Mission elements; force generation; implementation of the protection of civilians strategy; Mission benchmarks for mandate implementation; United Nations system support to peacebuilding tasks; and cooperation with regional and international partners in addressing the threat posed by the Lord's Resistance Army (LRA). The present report provides an update on these aspects and on developments in South Sudan since my report of 8 November (S/2012/820), including events up to 8 March 2013.

II. Political developments

2. Despite the progress made in 2012 in the building of national institutions, South Sudan entered the New Year facing fresh challenges. New inter-communal strife erupted in Wau, Western Bahr el-Ghazal State and Yei, Central Equatoria State, in December, as well as in Rumbek, Lakes State, in January, while a deadly cattle raid which claimed the lives of about 100 people threatened to plunge Jonglei State, once again, into a crisis of major proportions. Also, the deplorable shooting down of an UNMISS helicopter by the Sudan People's Liberation Army, in Jonglei State, highlighted command and control challenges in the Sudan People's Liberation Army. Though the Government has continued to take important steps towards democratic consolidation, this has been offset by an escalation of serious violations of human rights over the reporting period. Meanwhile, the non-implementation of the September Cooperation Agreements and stalled peace negotiations with the Sudan not only portend increased tensions and skirmishes, but also create uncertain economic prospects for South Sudan as an early resumption of oil production is unlikely and the current austerity measures are expected to remain in place for the foreseeable future.

3. Notwithstanding these challenges, signs of resilience have remained visible. South Sudan continued to make meaningful progress on several key transitional political processes, including with regard to the preparations for the census, national elections, the national constitutional review process and the passage of critical legislation. President Salva Kiir took significant steps towards reforming the security sector. On 21 January 2013, he issued decrees replacing all six Deputy Chiefs of Staff of the Sudan People's Liberation Army and removing a total of 35 Generals from their positions in the armed forces. The decrees also established three Sudan People's Liberation Army regional sectors: Greater Bahr el-Ghazal, Greater Upper Nile and Greater Equatoria, each headed by a Lt. General and with headquarters at Wau, Malakal and Torit, respectively. In a separate decree, on 14 February, a further 118 senior Sudan People's Liberation Army officials were relieved from active service and placed on a reserve list. These changes aimed to invigorate the leadership and streamline the field structure of the armed forces. Similar changes were also effected in the South Sudan National Police Service where the Inspector-General and Deputy Inspector-General were replaced. A number of senior police officers were also removed from their posts.

4. Against the backdrop of a re-emergence of historical inter-communal tensions in several parts of the country, Vice President Riek Machar has initiated a process of national reconciliation and healing, involving all levels of government and civil society. On 8 January, the Council of Ministers approved the initiative to launch the process, with a budget of 8 million South Sudanese pounds. A major conference in April is aimed at kick-starting a more broadly owned process of reconciliation in South Sudan.

Establishment of national institutions

5. The work of the National Constitutional Review Commission remained slow. On 12 December, the Review Commission approved the establishment of six subcommittees to review different sections of the Transitional Constitution, and to implement civic education and public participation campaigns. On 26 February, the National Legislative Assembly unanimously voted to extend the Commission's mandate, which had expired on 8 January 2013, for two years until 31 December 2014.

6. On 9 January, the Council of Ministers approved the proposal by the National Bureau of Statistics to conduct a national census during 2014. With a projected budget of $92.4 million for the census, the Bureau has approached the Mission to provide logistical and security support as required, in coordination with other partners. Such support will be important given that the elections depend on the successful and timely conduct of the census.

7. The National Elections Commission, already sworn into office on 31 October 2012, was inaugurated at its offices on 22 January 2013. International partners, including the International Foundation for Electoral Systems and United States Agency for International Development, provided funding for the offices and equipment. The Commission plans to establish offices in the 10 States. On 12 February the National Elections Commission Chair formally requested the United Nations to provide technical, operational and logistical support for the 2015 elections.

8. The National Legislative Assembly was particularly active over the reporting period. On 11 December, the National Legislative Assembly confirmed the names of eight of the nine members of the Political Parties Council, a representative body of all major parties responsible for registering and regulating political parties, with the final member to be appointed at a later date. The National Legislative Assembly also adopted the Energy and Mining Bill on 19 November 2012, and the South Sudan Agricultural Bank Bill on 22 January 2013. Three media bills — the Broadcasting Corporation, Right of Access to Information and the Media Authority Bills — were put forward at the Assembly following public hearings in November. The Petroleum Revenue Management Bill, the HIV/AIDS Commission Bill, the Powers and Privileges of (Parliamentary) Members Bill and the Voluntary and Humanitarian Non-Governmental Organizations Bill were also put forward, and seven International Labour Organization conventions related to forced labour, discrimination and the right to collective bargaining were ratified.

9. On 11 December, the National Legislative Assembly, exercising its oversight function, summoned the Governor of Western Bahr el-Ghazal State to testify on the December escalation of violence in Wau. It concurrently formed a 10-person fact-finding investigation committee to investigate the events, although the committee's activities were put on hold following increased hostilities.

Anti-corruption measures

10. On 7 December, South Sudan marked International Anti-Corruption Day under the theme "Towards a Corruption-Free South Sudan". The Chair of the South Sudan Anti-Corruption Commission announced that the Anti-Corruption Bill, which will empower the Anti-Corruption Commission to prosecute corruption cases independently, was presented to President Kiir on 6 December for signature.

11. Meanwhile, the National Legislative Assembly continued to debate the reports of the Auditor General for 2007 and 2008. The National Legislative Assembly recommended that the Anti-Corruption Commission investigate a number of cases stemming from the accounting practices of the former Government of Southern Sudan.

III. Economic situation

12. Without the resumption of oil production, South Sudan's economic situation remains very challenging. Fiscal austerity measures have remained in place, and continue to negatively impact public services and investment, thus restricting economic growth and employment opportunities. In line with the 2012-13 national budget, monthly government expenditures between July and December 2012 averaged 500 million South Sudanese pounds, or nearly 40 per cent below monthly spending, during the 2011-12 fiscal year. Inflation and foreign exchange rates continued to stabilize. While prices are now 25 per cent higher than in December 2011, they have remained relatively stable since June.

13. The Government continues to implement fiscal reforms in conjunction with austerity measures. Non-oil revenue collection has doubled to more than 60 million South Sudanese pounds per month between July and December 2012 (covering 12 per cent of government expenditure), as compared to the same period in 2011. To

increase fiscal transparency, quarterly budget execution reports are being published regularly and spending controls have been tightened.

14. The Government is in discussion with the International Monetary Fund (IMF), the World Bank and other international partners regarding managed budget support. While provision of such externally managed support could fill part of the budget deficit, negotiations with IMF on access to the Poverty Reduction and Growth Trust had not concluded by the end of the reporting period and no other commitments had yet been secured.

IV. Regional issues

Relations between South Sudan and the Sudan

15. The reporting period saw a further straining of relations between South Sudan and the Sudan, as the implementation of the nine Cooperation Agreements signed on 27 September 2012 stalled. South Sudan accused the Sudan, on several occasions, of conducting aerial bombardments and mounting ground incursions into its territory. On 1 December and 4 January, South Sudan formally complained to the Security Council about an alleged aerial bombing in the border areas, which would constitute, if confirmed, violations of Security Council resolution 2046 (2012).

Foreign and diplomatic relations

16. On 26 November, South Sudan was formally admitted as a member of the International Conference on the Great Lakes Region. Its application to join the East African Community is, however, still under consideration by the East African Community Council of Ministers.

17. At the second ministerial meeting of the African Union Regional Cooperation Initiative for the Elimination of the Lord's Resistance Army on 15 January, South Sudan announced it would contribute an additional 500 troops to the African Union Regional Task Force, bringing its total contribution to 1,000. The Ministers of Defence of the member countries of the Task Force will meet in Juba around mid-March 2013.

Inter-mission cooperation

18. UNMISS continued to participate in the implementation of the United Nations strategy against the Lord's Resistance Army, providing logistical support to the African Union Regional Task Force, which is now operational. It also continued to share the use of air assets with the United Nations Interim Security Force for Abyei (UNISFA) and is providing logistical support to UNISFA liaison offices in Malakal, Wau and Juba. For the purpose of establishing necessary operational and strategic cooperation mechanisms, including the Joint Border Verification and Monitoring Mechanism, UNISFA, UNMISS and the African Union-United Nations Hybrid Operation in Darfur held a joint meeting in Juba on 30 November, with a follow-up meeting on 18 February. The three Missions agreed to create working groups that will hold discussions on a monthly basis, assign focal points and share information on a regular basis.

V. Security situation

Shooting down of an UNMISS helicopter

19. On 21 December 2012, an UNMISS Mi-8 helicopter, operated by a Russian civilian contractor, was shot down by Sudan People's Liberation Army troops while conducting reconnaissance of potential landing sites near Likuangole, Jonglei State. All four crew on board were killed. The Sudan People's Liberation Army claimed that the helicopter was mistaken for a Sudanese Armed Forces aircraft supplying rebel militia groups. The Mission sent a strong note of protest condemning the incident. I also issued a public statement condemning the incident. President Kiir has offered his Government's apologies and condolences to the Russian Government and to the families of the victims. My Special Representative has repeatedly engaged the highest levels of Government first to express grave concern at the unacceptable action of the Sudan People's Liberation Army, calling for a thorough investigation and subsequently to press for a speedy handover of the retrieved flight data and voice recorders and expeditious conclusion of investigations. The data recorders were handed over to the Russian civil aviation authority on 21 January 2013. Investigations by the Government, under International Civil Aviation Organization (ICAO) regulations, as well as SPLA internal investigations and a United Nations Secretariat Board of Inquiry are under way. The Russian and South Sudanese authorities have agreed on timelines that would see the initial submission of the investigation reports in May.

Armed group activity

20. As indicated in my previous report (S/2012/820), the armed group loyal to David Yau Yau, a Murle, had taken up positions in Pibor County by late August. Frequent, although small-scale, clashes between the group and the Sudan People's Liberation Army were reported throughout November and December. On 19 November, about 100 members of this armed group established three rudimentary defensive positions next to the UNMISS base in Likuangole. The same day, Sudan People's Liberation Army in the area successfully dislodged this group in an attack involving over 200 soldiers. On 22 November, Sudan People's Liberation Army troops were ambushed by suspected militia group elements while moving from Pibor to Likuangole, in which one Sudan People's Liberation Army soldier was killed. Another ambush on Sudan People's Liberation Army troops travelling between Manyabol and Gumuruk killed an SPLA soldier, and Sudan People's Liberation Army patrols were reportedly fired upon by suspected rebel militia group elements outside Gumuruk on 5 and 6 December. While the majority of attacks have focused on Sudan People's Liberation Army targets, an attack on Pibor market on 21 December, and the Sudan People's Liberation Army's subsequent retaliation prompted approximately 200 civilians to seek refuge in the UNMISS former Pibor County Support Base compound. On 8 January, an exchange of fire between the Sudan People's Liberation Army and armed group elements north of Pibor market resulted in the death of two civilians, and two armed group members.

21. On 6 November, an UNMISS boat patrol travelling from Pibor town to Likuangole was fired upon by armed elements. There were no casualties. UNMISS received a letter on 18 November, allegedly written by Yau Yau, demanding that it vacate Likuangole by the following day. Precautionary measures were taken and the

UNMISS troop strength was reinforced. Taking into consideration the increased protection needs of civilians in Gumuruk and Manyabol, as well as the security and logistical constraints of resupplying troops in Likuangole following the downing of an UNMISS helicopter, UNMISS redeployed its troops from Likuangole back to Pibor on 19 January. Options for new deployment sites are being considered, taking into account the protection demands across Jonglei.

22. In an effort to convince Yau Yau to lay down arms and avail himself of the Government's renewed offer of amnesty, President Kiir encouraged Murle leaders to travel to Pibor County to engage in dialogue with Yau Yau and the Murle youth who have joined him. On 18 January, UNMISS facilitated the travel of over 50 Murle leaders to Pibor to commence outreach activities with local communities and initiate contacts with Yau Yau.

23. Captain James Kuburin, a commander in Yau Yau's group, surrendered to the Sudan People's Liberation Army on 2 December with about 200 fighters. His troops were assigned to provide security and to patrol part of Pibor Town. However, on 27 January, an altercation between Kuburin and the Sudan People's Liberation Army in Pibor market resulted in widespread firing by Sudan People's Liberation Army troops in the town, during which three civilians were killed, three wounded and tens of homes burned, forcing some 2,500 civilians to seek protection in UNMISS camps for three days.

24. The reporting period also saw the return of the Lou Nuer "Prophet" Dak Kueth to Akobo County from the border areas with Ethiopia. On 17 December, clashes broke out between Dak Kueth's group and the Sudan People's Liberation Army in Dengjok District, along the Ethiopian border, in which a reported 16 people died, including 7 Sudan People's Liberation Army soldiers. On 2 January, fighting between the Sudan People's Liberation Army and Dak Kueth's group in Uror County resulted in four Sudan People's Liberation Army soldiers reportedly wounded and two of his followers arrested.

Inter-communal violence

25. Plans by the Western Bahr el-Ghazal State authorities to relocate Wau county headquarters from Wau Town to Baggari District sparked a series of incidents of unrest in Wau in December 2012. From 4 to 7 December, Fertit youth erected roadblocks on the main access roads to Wau, holding up some 60 trucks. In response, security personnel arrested a number of Fertit youth. The forcible removal of the roadblocks by security forces on 8 December resulted in the killing of at least four of the protesters.

26. On 9 December, the security forces fired shots into a group of unarmed protestors in Wau demonstrating against the excessive use of force the previous day. At least 9 people were killed and 24 injured during the incident. Thereafter, what started as a disagreement between the State government and some communities over the relocation of the county headquarters escalated into inter-communal violence, which engulfed Wau Town. On 16 December, the bodies of six members of the Dinka community were recovered by State authorities in the Farjallah area near Wau, prompting a violent backlash by Dinka against Fertit in Wau on 19 December. Reportedly, a total of 24 were killed in Farjallah, but UNMISS has not been in a position to verify the numbers. On 19 December, the security situation in Wau deteriorated further, with homes and businesses set ablaze by 200 to 300 armed

youth. Some 65 people were reported wounded and at least 10 killed. About 5,000 civilians sought refuge in the UNMISS compound for three days.

27. A mission undertaken to Wau by the Deputy Interior Minister helped put a halt to the violence. By 22 December, the civilians who had sought refuge at the UNMISS compound had returned home. President Kiir visited Wau on 24 December, called for reconciliation and assured the public that those behind the violence would be brought to justice.

28. Towards the end of December, the State government resorted to arrests, predominantly of members of the Fertit community, which created renewed tensions. As of 21 February, 53 individuals were reported to remain detained in Wau prison. My Special Representative visited Wau from 5 to 6 February and raised concerns with the Governor about the situation in Wau, advocating for inter-communal reconciliation and due process for those arbitrarily detained. On 18 February, UNMISS transported three judges temporarily assigned by the Chief Justice of South Sudan to Wau, Western Bahr el-Ghazal State, to expedite the trials of the detainees. The reinforced UNMISS troop presence in Wau has been maintained as a confidence-building measure for civilians.

29. Elsewhere, seasonal cattle-rustling incidents increased at the onset of the dry season, claiming many lives. Major cattle raids were reported from the tri-State area of Lakes, Unity and Warrap States, as well as in Jonglei State. In Rumbek Centre County, Lakes State, from 16 to 18 January, clashes between two Dinka subclans resulted in serious violence, with a reported 25 deaths according to the Government, and 27 wounded following a heavy exchange of gunfire on 18 January in Rumbek Town. The figures remain contested, and UNMISS community inquiries have yielded much higher figures. The State Governor announced an immediate mandatory disarmament in Cueibet and Rumbek Central Counties and said that there would be no more dialogue with cattle-keepers or youth. Sudan People's Liberation Army reinforcements were deployed and the South Sudan National Police Service, Sudan People's Liberation Army and the Wildlife Service joined in an effort to restore order, pushing the attackers back to the cattle camp. At the end of January, in Unity State, over 3,000 armed Nuer youth mobilized and converged in Mayendit County, purportedly to launch cattle raids into Warrap and Lakes States. The planned raids were foiled through early warning by UNMISS and local authorities, and timely action by the Sudan People's Liberation Army and the South Sudan National Police Service who blocked food and water supplies, forcing the youth to return to their respective counties.

30. Following this escalation of violence in Rumbek, President Kiir issued a decree on 22 January removing the Governor of Lakes State from office. A further Presidential decree was issued the following day, appointing a caretaker Governor for the State. On 29 January, the caretaker Governor of Lakes State addressed citizens in Rumbek, declaring that he planned to deliver security through a number of decrees, including tough sanctions against cattle raiders, and registration of firearms held by civilians. Some of the announced measures elicited concerns of constricting political space, but have since been rescinded. UNMISS is closely monitoring the situation.

31. In Western Equatoria State, the security situation in Mvolo County deteriorated in January 2013 following an influx of Dinka Atout cattle-keepers from Yirol West County, Lakes State, who then reportedly raided the cattle belonging to a group of

Dinka Agar. Both groups (Dinka Atout and Dinka Agar) were reported to have fled from Lakes State into Western Equatoria to escape the violence. Given the limitations of the South Sudan National Police Service in the State, the Western Equatoria State government has registered its deep concern about the threat of a potential physical confrontation.

32. The All-Jonglei peace process has suffered serious setbacks. Communities in Jonglei State feel that they have been left vulnerable by the incomplete, and hence uneven civilian disarmament process, and by inadequate Sudan People's Liberation Army and South Sudan National Police Service protection. Some accuse the Murle community, which has not yet effectively disarmed, of continuing to attack them. On 17 December, my Special Representative met with the Jonglei State Caucus in the National Legislative Assembly, stressing to them the importance of supporting peace efforts and development initiatives. Meanwhile, efforts by my Special Representative to mobilize development partners to implement peacebuilding projects to underpin the peace process and help to prevent a relapse of widespread inter-communal violence have yielded limited results.

33. The increased cattle raiding in Dinka and Lou Nuer areas of late, with significant loss of life, has exacerbated tensions between the two communities and the Murle, which could plunge Jonglei into a deeper, violent crisis. On 8 February, Lou Nuer community members who were migrating their cattle from Walgak, Akobo County, to the Sobat River for dry season grazing, escorted by 36 Sudan People's Liberation Army soldiers, were attacked in the Wangar area. Local authorities estimated the number of killed at 118, including 14 Sudan People's Liberation Army soldiers. They also reported a large number of stolen cattle. An UNMISS investigation team accessed the site of the attack by trekking 55 kilometres. They observed 56 fresh graves, some of which contained more than one body, in addition to 22 unburied bodies, dead livestock and scattered household goods. Although investigations are ongoing, the number of casualties seems to be close to 100. Vice-President Riek Machar visited Walgak on 17 February and appealed to the Lou Nuer to desist from retaliation. My Special Representative also visited Walgak and Pibor on 19 February, where she similarly urged communities to exercise restraint.

34. In Yei County, Central Equatoria State, tensions related to disputes over land between the Kakwa and mainly Dinka residents flared on 16 December, with more than 53 houses burned down. Also, in Central Equatoria State, a dispute over land between the Nuer and Mundari in Juba County led to the alleged killing of two people on 18 December.

VI. Implementation of the Mission's mandate

35. My Special Representative continued to co-chair, with the Vice-President, the Government-UNMISS Joint Mechanism on mandate implementation. Discussions focused on the transformation of the South Sudan National Police Service and ensuring its harmonization with overall security sector reform; disarmament, demobilization and reintegration efforts; early warning and contingency planning measures for the protection of civilians in the dry season; and status of forces agreements violations. The UNMISS Consultative Group, an advisory forum comprised of prominent representatives of South Sudanese society, continued to advise the Mission on enhancing the effectiveness of law enforcement institutions,

establishing security throughout the country and the envisaged national reconciliation process.

Mission consolidation

36. The Mission's civilian component currently comprises 852 international staff, 1,353 national staff and 388 United Nations Volunteers, with vacancy rates of 16, 17 and 31 per cent, respectively. The new Force Commander, Major-General Delali Johnson Sakyi of Ghana, has taken up his post.

37. The Mission continues to establish county support bases, with 13 sites now in use, 8 of which are suitable for full deployment (Ezo, Kapoeta, Nassir, Maridi, Melut, Nimule, Raja and Renk) and the other sites (Gok Machar, Pibor, Tambura, Turalei and Yirol) currently function for rotational deployment and patrolling. A 100-day plan is in place to meet the requirements for full deployment. The regular UNMISS flights to county support base locations enable access by State and local authorities to the counties, especially in the rainy season, and enable the engagement of United Nations staff in capacity-building, peacebuilding and extension of State authority activities. By June, it is expected that an additional 7 locations will be under development to bring the total numbers to 20. The full complement of 35 locations is expected to be ready by 2016. Meanwhile, the construction by UNDP of the first 19 community portals required for co-location with county support bases also made progress and the first 6 portals (Kapoeta, Maridi, Nimule, Renk, Turalei and Yirol) should be fully operational by the end of March 2013.

Early warning and conflict mitigation

38. The Mission continued to develop its conflict early warning system and is discussing interfacing arrangements with the national early warning system. In addition, UNMISS launched two important operations to deter and address conflict: Operation Acanthite and Operation Longhorn. Both respond to the upsurge in inter-communal violence and cattle raiding, and the resultant need for increased coordination, across the tri-State area of Lakes, Unity and Warrap. As the military arm of the operation involving troops from three battalions, Operation Acanthite has involved long-duration patrols and visits to cattle camps to deter violence and instil confidence in the population. The complementary Operation Longhorn aims to enable coordinated local responses and solutions to inter-communal violence and cattle raiding across the tri-State area through early warning and regular information sharing between UNMISS tri-State offices and local authorities.

Military component

39. As of 19 February, the strength of the military component stood at 6,620, out of the authorized strength of 7,000, comprising 4,930 infantry troops, 1,363 enablers, 185 Staff Officers and 142 military liaison officers. The induction of a Rwandese aviation contingent, equipped with three Mi-17 helicopters, was completed during the reporting period, providing critical air support for the UNMISS protection-of-civilians mandate. UNMISS expects to reach its mandated troop ceiling by mid-2013 with the anticipated arrival of engineering companies from India and the Republic of Korea, as well as an Indian petroleum operations platoon. The challenge of building company operating bases during the rainy season

without the promised engineering capacity has required almost half the force to remain deployed in interim locations and delayed planned rotation dates for the Mongolian, Nepalese and Rwandan "light-field" engineering companies.

Police component

40. As of 20 February, the strength of the police component stood at 549 of the authorized strength of 900, representing 38 Member States, and deployed in all 10 States, including 23 locations identified for county support bases. During the reporting period, the registration of the South Sudan National Police Service was completed across all 10 States. Approximately 49,327 South Sudan National Police Service officers have been registered and entered into an electronic database. The issuance of identification cards to all South Sudan National Police Service officers will follow the exercise. This process has implied cleaning up the payroll, removing "ghost" officers from the lists and providing the basis for transformation of the South Sudan National Police Service.

41. In December, UNPOL commenced a multi-year training programme for the South Sudan National Police Service Auxiliary, dedicated to public order management and crowd control. The South Sudan National Police Service Diplomatic Protection Unit, established with UNMISS support and training, is now operational in Juba. The Unit will undergo continued on-the-job training with co-located UNPOL.

Riverine capability

42. UNMISS continues to pursue the introduction of a riverine capability to enhance its access to critical locations. United Nations country team small boats have been identified and assessed, and consultations are ongoing to make these assets available to UNMISS.

Quick-impact projects

43. During the reporting period, UNMISS implemented quick-impact projects to improve service delivery at the county level. UN-Habitat prepared the second phase of the implementation of a piped water project for communities in Jonglei, Lakes and Warrap States, while projects implemented by the United Nations Children's Fund (UNICEF) facilitated production of school furniture in Jonglei State.

Protection of civilians

44. To address the resurgence in inter-communal violence, frequently linked to cattle-raiding, UNMISS increased its military patrolling, both in the tri-State area of Lakes, Unity and Warrap, and in key locations in Jonglei State, to deter violence and attacks on civilians. It also continued to monitor protection issues through integrated team visits to high-risk areas. Following the violence in Wau and Pibor, during which UNMISS protected thousands of civilians at its bases, the Mission has drawn up guidelines and contingency plans for receiving civilians who may seek refuge at the Mission's facilities during conflicts.

45. The Mission has continued to roll out a protection of civilians training programme across the Mission, which has now been delivered to 7 out of 10 UNMISS State offices. UNMISS is also partnering with the United States of

America to facilitate a protection-of-civilians scenario-based tabletop exercise. A preparatory joint United States-United Nations mission visited Juba from 15 to 17 January.

Child protection

46. UNMISS and UNICEF continued to assist the Government with the implementation of the revised action plan on the release and reintegration of all children associated with the Sudan People's Liberation Army. On 6 November, the Sudan People's Liberation Army committed to introducing punitive measures, developed in collaboration with UNMISS, against Sudan People's Liberation Army officers who recruit children or occupy schools.

47. In Jonglei State, UNMISS and UNICEF assisted in the reunification of 33 formerly abducted children, and in Western Equatoria, a further 9 children were rescued from the Lord's Resistance Army. The United Nations continued to assist with the reintegration of 157 children previously released from armed groups, and provided child protection training to Sudan People's Liberation Army officers and criminal justice personnel.

Conflict-related sexual violence

48. UNMISS continued to provide training on sexual violence in conflict for staff members and military contingents to develop the capacity to monitor and report on conflict-related sexual violence. Cases are currently being investigated in Jonglei, Northern Bahr el-Ghazal, Unity, Upper Nile, Warrap and Western Bahr el-Ghazal States.

Justice and corrections

49. UNMISS continued to support the Government to strengthen the civil and military justice systems, and to end the practice of prolonged, arbitrary detention. The Judiciary of South Sudan, the Ministries of Justice, Interior, Defence, National Security and the Sudan People's Liberation Army have activated a High-Level Policy Panel to address prolonged arbitrary detention and enhance access to justice through, among other things, establishing mobile courts.

50. To help reduce prolonged arbitrary detention, UNMISS provided technical support to the regular review of remand cases. Following the successful piloting of the Juvenile Remand Review Board in Juba Prison to reduce juvenile pretrial detention, UNMISS, together with the United States Bureau of International Narcotics and Law Enforcement Affairs and UNICEF, launched remand boards in Malakal, Rumbek and Wau in January. During the reporting period, UNMISS assisted the South Sudanese authorities in resolving approximately 650 cases of prolonged arbitrary detention.

51. Although prison conditions remain particularly difficult owing to food shortages arising out of austerity, there has been progress in the registration and screening of National Prisons Service staff aiming to right-size and remove "ghost" officers from the payroll. With UNMISS support, it has now been completed in Central Equatoria, Lakes and Warrap States, and has commenced simultaneously in the remaining seven States. UNMISS provided technical support in the drafting of the Prisons Act, the Prison Regulations, and a General Punitive Directive on the

Prohibition of Recruiting Children and Occupation of Schools. UNMISS and the Sudan People's Liberation Army Directorate of Military Justice jointly visited all Sudan People's Liberation Army military detention facilities and co-authored a report for the Sudan People's Liberation Army High Command, which made recommendations on improving management and conditions. UNMISS organized training for 35 Sudan People's Liberation Army Military Police personnel in investigations, arrests, search and seizure procedures and prison management.

Human rights

52. During the period under review, UNMISS investigated a series of reported grave human rights violations, which forewarn of a deterioration in the overall human rights situation. Furthermore, UNMISS faced serious obstacles to its human rights work, while security conditions prevented investigations in some cases. In addition, the denial of access to detainees in a number of cases restricted the capacity of UNMISS to verify information.

53. In Jonglei State, the killing of 13 people by the Sudan People's Liberation Army on 4 December in Gumuruk District, Pibor County, is under investigation by UNMISS. The Sudan People's Liberation Army claimed the individuals had ambushed a patrol in the Lotho village area. This incident, which seems to involve an ostensibly calculated summary execution of a significant number of civilians, is of particular concern. Other unverified reports allege that three women were killed when fired upon by Sudan People's Liberation Army near Manyabol on 23 December. President Salva Kiir Mayardit has announced an investigation into both incidents.

54. UNMISS launched investigations into alleged human rights violations and incidents of violence in Wau in December. As of 19 February, a cumulative number of 132 individuals in total, including South Sudan National Police Service, prison guards, Wildlife Officers, Fire Brigade Officers, members of the State Legislative Assembly and government officials, had been detained in relation to the violence. Following the visit of my Special Representative to Wau on 5 and 6 February, and subsequent engagement with State authorities, as well as from the national Government, some encouraging developments have been noted. These include the release of a number of detainees and the introduction of court procedures by judges appointed by the Chief Justice to hear the cases related to the December incidents.

55. Increasing concerns about detentions without charge or judicial review, including of foreign nationals, journalists and others perceived to be critical of the Government, extend throughout South Sudan. The Mission and key individuals in Government, including the President, have also been deeply concerned about the trend of diminishing respect for the right to freedom of expression, evidenced mainly through arbitrary arrests and detentions, threats, surveillance and intimidation. These concerns were brought to the fore with the killing by unidentified individuals, of well-known columnist Diing Chan Awol on 5 December, an act that was vehemently condemned by South Sudanese society, government officials and the international community alike. The President ordered an investigation into the killing, which is under way.

56. On 12 November, the Council of Ministers approved a draft National Agenda for Human Rights, prepared by the South Sudan Human Rights Commission with support from the Office of the High Commissioner for Human Rights. The Agenda,

which will be presented to the National Legislative Assembly for deliberation, sets out an action plan to strengthen the protection and promotion of human rights, and the enhancement of the rule of law. The Mission continued to provide technical assistance to the Government for the process of ratifying international and regional treaties. On 28 November, South Sudan voted in favour of a global moratorium on the death penalty in the United Nations General Assembly. On 24 January, the Government signed the African Charter of Human and People's Rights.

Disarmament, demobilization and reintegration

57. The inaugural meeting of the National Disarmament, Demobilization and Reintegration Commission Council, chaired by the Vice-President, was held on 14 November. To launch a coherent disarmament, demobilization and reintegration programme, the Council has reiterated that the four security pillar institutions, the disarmament, demobilization and reintegration Commission, the Ministry of Defence and Veterans' Affairs, the Ministry of Interior, and the Ministries of Wildlife Services and National Security, will need to harmonize their reform plans and strategies. The disarmament, demobilization and reintegration Commission has now formally communicated that the first pilot phase of the disarmament, demobilization and reintegration programme at Mapel will commence on 15 April 2013. The construction of the transitional facility is scheduled to be completed by the end of March. A reintegration plan has been developed as part of the first pilot phase of the disarmament, demobilization and reintegration programme in Mapel. UNDP and other United Nations partners may be involved in a subsequent pilot project in Pariak, Jonglei State. Concerns remain over the ability of the Government, under austerity, to fund the programme and sustain the salaries of the forces to be demobilized.

Security sector reform

58. UNMISS supported the Drafting Committee responsible for preparing South Sudan's National Security Policy by facilitating consultations at the national, State and county levels. UNMISS also continued to provide technical support to the State Security Committees, including the establishment of their secretariats in seven States. It also supported the establishment of Security Sector Oversight Coordination Mechanisms at the State level. The Mission worked with the Small Arms and Light Weapons Drafting Committee to develop regulations and standard operating procedures for marking, registering and tracing small arms and light weapons.

Mine action

59. The United Nations Mine Action Service and partners surveyed 326 kilometres of road in Unity State. Mine rollers were procured, to be attached to convoy lead vehicles, allowing UNMISS and humanitarian organizations swifter access to roads that may be mined. Some 1,158,831 square metres of agricultural land were cleared of mines in the 10 States, while more than 43,900 individuals received mine risk education. United Nations Mine Action management and operational personnel are now co-located with the National Mine Action Authority for mentoring.

Implementation of the peacebuilding support plan

60. Following consultations with the Government, UNMISS and the United Nations country team applied for funds from the Peacebuilding Support Office in the amount of $10 million for 2 of the 15 priority deliverables in the Peacebuilding Support Plan which are being implemented: vocational and literacy training for youth; and the building of *haffirs* and water-points in crisis-prone areas.

VII. Humanitarian situation, recovery and development

61. During the reporting period, the refugee situation, a rise in internal insecurity related to the onset of the dry season and persistent food insecurity remained the key humanitarian challenges in South Sudan. Thirty humanitarian operations were under way across South Sudan by the end of December 2012. As of the end of November 2012, food assistance was provided to 2.7 million people who were food insecure by United Nations and humanitarian partners. However, most areas of the country reported slight improvements in access to food at the start of the harvest season in October.

62. Refugees from South Kordofan and Blue Nile in the Sudan continued to arrive in South Sudan at an increasing rate, with over 7,000 new arrivals in December and nearly 8,000 new arrivals in January 2013. Humanitarian conditions in refugee sites improved, particularly with regard to the availability of water and sanitation. There were significant improvements in nutrition indicators and in the crude mortality rate, which fell below the emergency threshold. However, an outbreak of hepatitis E saw over 6,670 cases and 125 fatalities by mid-February and demanded the quick intervention of the Ministry of Health and the World Health Organization. Security in the refugee sites in Unity and Upper Nile States has been a cause for concern due to the presence of weapons in the refugee camps. To restore the civilian character of the camps, the leaders of four refugee camps in Bunj, Maban County, Upper Nile State carried out a campaign to promote weapons-free camps at the end of January in Buni, Maban County, Upper Nile State; the exercise was verified by the Upper Nile State Government and supported by UNMISS and the Office of the United Nations High Commissioner for Refugees.

63. Insecurity restricted access to communities in need, including in Jonglei, Lakes, Unity, Upper Nile, Warrap and Western Bahr el-Ghazal States. Humanitarian organizations struggled to deliver aid to approximately 12,000 people displaced in Pibor County in Jonglei State, affected by clashes between the Sudan People's Liberation Army and armed groups. Humanitarian organizations reported increased levels of interference in their work by authorities and security forces, including cases of intimidation and harassment. In several cases, civil authorities or security forces imposed bureaucratic impediments on humanitarian operations and proceeded to take actions against aid workers perceived to be non-compliant. Since November, at least eight aid workers have been arrested or temporarily detained and at least four have been expelled from certain States.

64. A government-led prioritization exercise of core government functions under austerity for 2013-14 was finalized in November with United Nations and donor support. From 17 to 19 December, South Sudan hosted the Steering Group of the International Dialogue on Peace and State Building. The Government formally communicated to the United Nations on 1 February 2013 that it will review and extend the South Sudan Development Plan 2012-13 until 30 June 2016. Once the

revised Development Plan is in place, it is expected that the Government will work with partners on a New Deal compact to support implementation.

65. The International Organization of Migration registered 155,197 South Sudanese returnees in 2012, mainly from the Sudan. The majority of these returns were spontaneous owing to lack of donor and government funding for organized transport. In 2013, the humanitarian community is preparing for an additional 125,000 returnees to arrive in South Sudan.

66. The number of returnees stranded in Renk, the principal entry point for returnees from the Sudan, has risen to 19,313 from 14,314 in mid-September. Inadequate access to basic services has placed the returnees in steadily worsening conditions. Onward transport assistance was organized by IOM for 2,635 of the most vulnerable returnees in Renk between November 2012 and January 2013, while 1,320 extremely vulnerable individuals were airlifted directly from Khartoum to Aweil or Wau.

VIII. Cross-cutting issues in the Mission

Public information

67. UNMISS continued its outreach in all 10 States to promote mandate sensitization, while also engaging the media on Mission activities. The United Nations Radio Miraya further expanded reception of its broadcasts to reach wider audiences in a number of new communities, and has arranged to co-locate Radio Miraya transmitters on mobile phone towers to enable greater sustainability of broadcast transmissions.

Implementation of the review of civilian capacity in the aftermath of conflict

68. During the reporting period, UNMISS expanded its learning and development opportunities for national staff. To date, over 1,500 national staff have been trained in management, administration, leadership and other technical and substantive subjects.

Conduct and discipline

69. From 5 November to 21 December, UNMISS embarked on intensive awareness-raising of all UNMISS personnel on sexual exploitation and abuse. During a period of seven weeks, 3,636 civilian, UNPOL and military personnel were trained in all 10 States, along with 588 representatives from the United Nations country team, the Government and civil society, who, in turn, will train others to promote wider awareness of sexual exploitation and abuse.

Women, peace and security

70. UNMISS provided technical support to women's organizations reviewing the Transitional Constitution to make recommendations to the National Constitutional Review Commission regarding women's access, control and inheritance of property, inclusion of the marriageable age for girls in the final constitution, and the need to harmonize customary and statutory laws to protect the rights of women and girls. UNMISS and UN-Women continued to provide training for Government and

security services on gender mainstreaming, and support to the Government to implement Security Council resolution 1325 (2000).

HIV/AIDS

71. The Mission trained 275 national change agents and continued its outreach through HIV/AIDS awareness campaigns, reaching more than 46,000 government and uniformed personnel. The United Nations Joint Programme on HIV and AIDS continued its capacity-building support to the Government.

Staff security

72. The volatile security situation in the northern border areas and the continued activities of armed groups in Jonglei State posed risks for United Nations personnel, as did the increase in criminality, particularly armed robberies and hijackings, in some urban centres in the country. Following the shooting down of its helicopter on 21 December, UNMISS urgently reviewed and further strengthened air safety measures.

73. On 18 February, four military crew members and a helicopter of the Rwandan Aviation Unit that landed in Yei, Central Equatoria State, were threatened and detained for two and half hours by members of the Sudan People's Liberation Army and the County Commissioner, despite the Mission having coordinated with the Sudan People's Liberation Army prior to the flight. The crew were released after intervention by Sudan People's Liberation Army Headquarters. The Government and UNMISS have agreed to organize mandatory sensitization and training of all security organs on the UNMISS mandate, the status of forces agreement, privileges and immunities of United Nations personnel and South Sudan's obligations under relevant international legal instruments, including those pertaining to human rights. The Vice President has also decided to convene a special meeting of the Government-UNMISS Joint Mechanism to discuss measures to stop status of forces agreement violations.

74. With respect to the Human Rights Officer who was expelled in October 2012, despite further appeals, the Government has maintained its original decision. On 25 January, two Human Rights Officers were detained and questioned for several hours by Military Intelligence when they went to one of its offices for a meeting in the course of their duties. My Special Representative raised the matter with the highest levels of the Government and was assured that steps would be taken to ensure there would be no repetition of such incidents.

Financial aspects

75. The General Assembly, by its resolution 66/243 B of 21 June 2012, appropriated the amount of $839,490,000 for the maintenance of UNMISS for the period from 1 July 2012 to 30 June 2013. As at 27 February 2013, unpaid assessed contributions to the UNMISS Special Account amount to $278.5 million. Total outstanding assessed contributions for all peacekeeping operations at the same date amount to $2,996.4 million. As at 27 February 2013, reimbursement of Governments of troop-contributing countries for troop and contingent-owned equipment costs has been made for the period to 31 October 2012 and 30 September 2012, respectively, in accordance with the quarterly payment schedule.

IX. Observations

76. I am disturbed by the recent flare-up of new incidents of inter-communal violence in Rumbek, Wau and Yei, and the underlying re-emergence of historical conflicts, as well as the persistent deadly cattle raids that are perpetuating the cycle of violence in Jonglei and the tri-State area. Though I am encouraged by the timely action taken by the Government in dispatching high-level teams from Juba to address the December violence in Wau and the 27 January incident in Pibor, overall efforts to end the vicious cycles of inter-communal violence and deadly cattle-raiding remain ad hoc and lasting solutions to the threat from armed groups remain elusive. More efforts by the Government are essential to address the root causes of the instability in Jonglei State, where a cattle raid claimed about 100 lives on 8 February, and in the tri-State area of Lakes, Unity and Warrap, where more than 3,000 armed youth attempted to launch a raid that could have created a crisis of major proportions. I also urge South Sudan's development partners to provide the requisite peacebuilding support for the efforts to stabilize the conflict-prone areas. Significant investment by other parties and continued support by UNMISS is required in assisting the Government to project its authority and develop its capacity to govern the volatile areas in particular, but also throughout its territory.

77. UNMISS took commendable action to protect thousands of civilians who sought refuge in its camps during the recent violence in Pibor and Wau. However, the Mission is facing major challenges in implementing its protection-of-civilians mandate, even as it continues to devise innovative protection tools and strategies. In particular, the essential more stringent aviation safety measures in the aftermath of the downing of a Mission helicopter have rendered aerial reconnaissance for early warning purposes impossible and have restricted the capacity to react to incidents in a timely manner. In addition, the sheer scale of the task compared to the resources and capacity available to the Mission and to the Government presents ongoing challenges.

78. The likely impact on the security situation in South Sudan of the non-implementation of the 27 September 2012 Cooperation Agreements with the Sudan and the stalled negotiations between the two countries is also cause for concern. The deadlock has resulted in increased tensions and skirmishes in the border areas. The prolonged standoff could also reverse recent positive trends, including on the management of seasonal cross-border migration. Every effort must be made to move forward the implementation of all the Cooperation Agreements.

79. The anticipated impact of the delay in the resumption of oil production on the economic situation will be significant. Fiscal austerity measures continue to negatively impact upon public services and investment, further contracting economic growth and employment opportunities. I urge the Government to take the necessary action to stabilize the economy, cut unnecessary spending and prioritize core functions of the State. I also call upon donors to enhance their commitment to support South Sudan at this crucial stage.

80. I am encouraged by the successful inauguration of the National Elections Commission, which represents a vital step towards preparations for the 2015 milestone elections. While conscious of the ongoing austerity measures, I encourage the Government to ensure that the funding and operational needs of the Commission are met to enable it to discharge its duties. My next report will provide recommendations on the support the United Nations family could provide to the preparations for the 2015 elections, following consultations with the Government.

81. The National Constitutional Review Commission needs to make more concrete progress in the discharge of its mandate and to engage in civic education, outreach and public consultation. I welcome the extension of the Commission's mandate until 31 December 2014 to carry out the popular consultations and outreach necessary to ensure that the permanent constitution takes into consideration and reflects the views of all segments of South Sudanese society after broad, national consultations.

82. I am deeply concerned about the reported grave human rights violations in recent months in the most volatile parts of South Sudan. These constitute a particularly worrying development and give rise to serious concerns about the dangers facing civilians during Sudan People's Liberation Army operations. Allegations of extrajudicial killings, such as those in Lotho village, Gumuruk, Pibor County, in December are of particular concern. The investigations into these and other cases, ordered by the highest levels of Government, need to be urgently completed and the perpetrators held accountable.

83. I am also disturbed by what appears to be an erosion of respect for the right to freedom of expression. Incidents of arbitrary arrests, threats, surveillance and intimidation are insidious breaches of the freedom of expression. While the media is not systematically curtailed and criticism is expressed, journalists in the country are increasingly endangered. The killing of columnist Isaiah Diing Abraham Chan Awol is indicative of this alarming trend. I urge the South Sudanese authorities to follow due process and to also ensure that the three Media Bills currently before the National Legislative Assembly for debate protect the fundamental rights of all citizens to express their views.

84. I am worried that, in parts of the country, UNMISS has faced obstacles in carrying out its human rights monitoring, investigation and reporting mandate, while security conditions have prevented investigations in other cases. The detention and interrogation of two Human Rights Officers for several hours, which follows the expulsion of a Senior Human Rights Officer last October, is deplorable. Along similar lines, bureaucratic impediments hindering aid operations, and threats to non-governmental organizations and United Nations agencies working with the line ministries to provide vitally needed services to the population, must cease.

85. I welcome the establishment of the National Disarmament, Demobilization and Reintegration Commission Council. However, I am concerned that the Government's ability to fund the programme and maintain the salaries of the forces to be demobilized will be constrained under South Sudan's economic austerity measures. I urge further donor engagement to support the Government to implement disarmament, demobilization and reintegration.

86. The operations of the United Nations in South Sudan were marred by the tragic and deplorable shooting down of the UNMISS helicopter on 21 December. Any attack on United Nations personnel and assets is unacceptable, but this incident was particularly reprehensible for being perpetrated by national security forces. I call upon the Government to fully cooperate in the implementation of the UNMISS mandate, in particular by guaranteeing the safety, security and unrestricted freedom of movement of United Nations personnel, and of associated personnel, throughout its territory. I strongly urge the Government to complete its investigation of the incident in a thorough and timely manner and prosecute those responsible for this crime.

87. Finally, I would like to thank my Special Representative, Hilde Frafjord Johnson, as well as the civilian, military and police personnel serving in UNMISS, for their dedication to the cause of consolidating peace in South Sudan. In addition, I am grateful to the United Nations country team and its partners for their work in promoting development and stability in South Sudan, as well as to the Member States who contribute troops and police to UNMISS.